IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:24-CV-00602-FDW-SCR

LIFE BUTTER,)
Plaintiff,))
v.	ORDER
BPI EQUIPMENT, INC.,))
Defendant.)

Before the Court is Defendant's Motion to extend by twenty-one days the time to file a responsive pleading to Plaintiff's Complaint. This action is governed by the Honorable Frank D. Whitney's "Standing Order Governing Civil Case Management before the Honorable Frank D. Whitney" (document #2, 3:07MC47). As such, the "Initial Scheduling Order" provides as follows:

[e]xtensions of time to serve pleadings shall not be granted except by leave of court for good cause shown (consent of opposing counsel alone is not sufficient). Absent extraordinary circumstances, no party shall receive more than one extension of time to serve a pleading, with any such extension being no more than twenty (20) days¹ in duration.

In the Motion, Defendant represents that it requires additional time to respond to the Complaint, which the Court deems to be "good cause shown." Provided, however, inasmuch as these are not "extraordinary circumstances," Defendant should be prepared to file its answer on or before the extended deadline, that is, without further extensions.

¹ Judge Whitney's chambers has instructed that in light of recent amendments to the Federal Rules and Local Rules related to counting days in seven day increments, an extension of twenty-one days will be allowed.

NOW THEREFORE, the deadline for Defendant's answer is extended through Friday, July 26, 2024.

The Clerk is directed to send copies of this Order to counsel of record <u>and to the Honorable</u> Frank D. Whitney.

Signed: July 1, 2024

SO ORDERED.

Susan C. Rodriguez

Roding United States Magistrate Judge